Policy for Indians abroad

1478. SHRI A. VIJAYARAGHAVAN: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether Competent Authority is aware of the unfair deal in work place and living place towards overseas Indians especially in Gulf countries, Malaysia and in a few African countries;

(b) if so, the details and action taken to resolve above;

(c) if so, whether there is any concrete policy on minimum/essential facilities, pay and other rights to be provided/made available to Indian citizens who are recruited/opted to work overseas;

(d) if so, the details thereof;

(e) if so, whether steps would be taken to frame total policy and law for the above; and

(f) if not, reasons therefor?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI): (a) and (b) Reports of exploitation and ill-treatment of Indian workers working in Gulf countries, Malaysia and a few African countries are received in this Ministry and Indian Missions from time to time.

The problems faced by the overseas Indian workers mainly relate to contractual violations by employers such as non-payment/delayed payment of salary, non-availability of medical facilities, proper food, unhygienic living conditions etc.

In such cases, if registered recruitment agency is involved, action is taken under the provision of Emigration Act, 1983, leading to suspension and cancellation of their registration certificate (RC). 27 RCs have been suspended/cancelled during 2007.

In respect of unregistered recruiting agents, the complaints are referred to concerned State Police Authorities/Protector of Emigrants for investigation and appropriate action as per provisions of the law. 7 prosecution sanctions have been issued during 2007.

In respect of complaint against foreign employers, such foreign employer is placed in the Prior Approval Category. 334 Foreign employers have been placed under such category.

(c) to (f) The following policy measures for protection and welfare of Indian workers have been taken by this Ministry:—

(i) Bilateral Labour MoUs have been signed with UAE in December, 2006 and with Kuwait in April, 2007. An additional protocol with Qatar was signed in November, 2007. These provide for an agreed broad framework for exchange of views leading to better protection of Indian workers while they are employed abroad.

(ii) Age restriction of 30 years have been made mandatory for all women emigrants holding ECR passports seeking employment abroad.

(iii) Government has decided to prescribe the minimum wage for women household service workers emigrating to the ECR countries. The minimum wage will be fixed

by the Indian Missions concerned in the range of US $ 300-350, after taking into account the prevailing market wage in that country and is intended to serve as a bench mark for the Indian Missions for attesting work contracts and for the Protectors of Emigrants before granting emigration clearance.

(iv) Introduction of a pre-departure orientation and skill-upgradation programme for potential emigrants to enhance their empowerment.

(v) A massive media campaign has been launched to educate the potential emigrants.

(vi) Overseas Workers Resource Centre has been established with a toll-free helpline to help the emigrants.

(vii) The Emigration Act, 1983 is in the process of being amended to further strengthen the safeguards for the emigrants.

Women deserted by NRI husband

1479. SHRI T.T.V. DHINAKARAN: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether a large number of Indian women have been divorced/deserted by NRI husbands;

(b) if so, whether it is proposed to take us the issue of subsistance/maintenance allowance to those women with countries where the husbands are residing;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI): (a) Yes, Sir The Ministry of Overseas Indian Affairs has received 230 complaints from Indian women against divorce/desertion by their overseas Indian spouses.

(b) and (c) No, Sir.

(d) Grant of subsistence allowance to affected women is governed by the legal provisions on the subject in any country and is admissible as per the court's directives. The Ministry has launched a scheme to provide legal assistance to Indian women divorced/deserted by their overseas Indian spouses to enable them take up their cases in relevant court(s) in the country concerned. Details of the scheme for giving legal/financial assistance to women deserted by their overseas Indian spouses are enclosed.

Statement

Scheme for Giving Legal/Financial Assistance to Women Deserted by their Overseas Indian Spouses

I. Objective:

The objective of the scheme is to provide some financial assistance to needy women in distress who have been deserted by their overseas Indian spouses for obtaining counseling and legal services. The term "Overseas Indian" would include NRIs and foreign citizens of Indian origin. The counseling and legal services would be provided through credible Indian